



New York City Enacts Landmark Law to Give Battered Women the Right to Sue Their Attackers

Battered women in New York City can seek damages from their abusers as a result of a landmark new law passed by the New York City Council and signed by Mayor Rudolph W. Giuliani.

The Gender-Motivated Violence Protection Act, passed unanimously by the Council earlier this month, provides victims of gender-based violence — such as sexual assault and domestic violence — the option to sue their attackers or batterers. New York City Mayor Rudolph Giuliani signed the Act into law on December 19, making New York the first jurisdiction in the nation to pass such a measure.



The New Law

The Gender-Motivated Violence Protection Act offers victims of gender-based violence the option to “bring a civil cause of action against the perpetrator.” It also “enhances the relief” that victims can recover from their attackers. Under the Act, victims can recover financial compensation from their assailants by suing them for relief, compensatory and punitive damages, and lawyers’ fees.

The Act allows victims to sue for misdemeanor as well as felony domestic violence, but requires victims to prove that the attacks were motivated by gender and were not random acts of violence.

Model Legislation

The new law was created in response to the U.S. Supreme Court decision in *United States v. Morrison et al.* In that case, the Court ruled that the Civil Rights Remedy of the Violence Against Women Act of 1994 (VAWA) — which allowed victims of gender-based violence to file lawsuits against their attackers — was unconstitutional because the Constitution gives state and local governments (not Congress) the power to regulate crime.

That U.S. Supreme Court decision cleared the way for state and local governments to develop legislation similar to the Civil Rights Remedy, and New York City is the first to do so. Many advocates believe the New York City law will serve as a model and other municipalities and states will offer similar protections to battered women. Bills similar to New York City’s already have been introduced in several state legislatures, including Illinois, New York and Arizona, according to the New York Times.

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Peggy Bilsten, Chair
City of Phoenix,
Councilmember

From the Chair

Last year over 100 people in our community died from domestic violence related deaths. From time to time, we all have to wonder if we are working hard enough and fast enough to alleviate this horrific crime in our communities — especially when we continue to read about more people either being victimized or murdered from those they are supposed to trust and love.

Often it's not until we really look closely at a problem — especially one as complex as domestic violence — that we really begin to see its true depth and scope. That first glimpse can be daunting, even disheartening. But just like a woodcarver who begins with a huge block of wood, we must start to chip away at this pervasive issue a little at a time.

Just one year ago, we began our work as a Council with the mission of carving away at ignorance by educating the community. Over 300 people have been trained on the issue of domestic violence and can now recognize the signs in a neighbor or a friend. Local coordinating councils have begun whittling away at the lack of coordination between divisions and are beginning to collaborate and communicate on domestic violence issues. We have used many tools to reveal to employers the critical role they play in ending domestic violence, leading to the creation of the organization “Employers Against Domestic Violence.”

In other words, our efforts have really begun to take shape. We may not have our masterpiece yet, but we have begun to redefine the way this region deals with an insidious social issue. Slowly but surely, we are carving out our niche...and we are creating change.

Let us keep doing our part in ending domestic violence. One simple way to do this is to e-mail this newsletter to as many people possible.

To stay involved in this critical work, contact MAG staff at (602) 254-6300.

MAG Regional Domestic Violence Council

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Update on Council Initiatives

Workplace and Domestic Violence

Business leaders on the Council formed a collaboration called Employers Against Domestic Violence (EADV) to address how employers respond to victims in the workplace.

The mission of EADV is to build collaborative partnerships to address the issues of family/domestic violence by developing and disseminating education, awareness and training resources, including models for prevention.

EADV will ultimately help employers create more productive workplaces that are intolerant of family (domestic) violence and are safe and supportive for victims and families — creating safer, more responsive communities.

Four focus areas of EADV

- To develop a workplace violence prevention model to be adapted/ implemented by employers of all sizes, first in Maricopa County, followed by counties throughout Arizona.
- To provide educational resources and assistance to the employer community on the issue of DV and raise awareness among employers and their employees.
- To build alliances with targeted domestic violence service providers whose primary mission is to provide domestic violence services.
- To develop a unified fundraising event to address the issue of DV and rally support of individuals and employers in the community.

The first task of EADV is to launch the newly established collaborative and gain support of the employer community. A breakfast is scheduled on May 24, 2001 at America West Arena Copper Club for

CEOs of large, medium and small businesses. The breakfast will feature keynote speakers such as Arizona Attorney General Janet Napolitano, Jerry Colangelo of the Phoenix Suns and CEOs from some top organizations, such as Phelps Dodge and The Arizona Republic.



Health Care Initiative

Health care stakeholders have been meeting to address inconsistent screening and identification of victims who present in hospitals throughout Maricopa County, and follow up with victims who disclose or are identified to make sure they receive appropriate resources and referrals to keep safe.

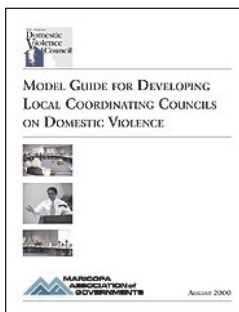
The group first took on surveying all hospitals in Maricopa County for protocols and to determine their level of training being delivered to their employees. Next, the work group came together to develop a model guideline highlighting the need for protocols, annual training to all hospital personnel and a continuous quality improvement process (CQI) to ensure that victims of domestic violence are being screened and receiving follow up.

The group brought together CEOs from some of the Valley's largest healthcare organizations to present the guideline and gain feedback. All CEOs who attended the meeting responded positively to the guideline and agreed to champion the effort within their own organizations.

The group is now looking to secure funding for development of the project, which will involve a community outreach campaign. Other strategies involve working with healthcare organizations to institute the guideline to ensure that it is being implemented effectively and that victims are being served.



Update on Council Initiatives (continued)

**Local Coordinating Councils**

In February, the Council, along with the Arizona Regional Community Policing Institute, sponsored a training to cities to assist them in establishing their own local coordinating council on domestic violence. Seven cities/regions attended the two-day training to learn more about how to develop their Council. The groups also developed goals and objectives to begin to

address gaps that exist at the local level to increase safety of victims and their children, and to hold batterers more accountable.

The Council will continue to promote local coordinating councils to other cities within the region as well as help newly-established Councils address any hurdles and obstacles that they may experience in the start-up phase.

Upcoming Events

- May 4** Domestic Violence and Workplace Training to Cities MAG Domestic Violence Council at Arizona Regional Community Policing Institute
- May 24** Employers Against Domestic Violence (EADV) "Kick-Off" breakfast to large, medium and small businesses, Copper Club at America West Arena
- June 19** MAG Domestic Violence Council
9 - 11 a.m. at Phoenix Family Advocacy Center, 2120 N. Central Ave., 2nd Floor.



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